

# Exhibit 35



Brooks, Cameron & Huebsch, PLLC

April 28, 2008

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Vivato Networks Holdings, LLC  
c/o Christopher R. Ambrose, Esq.  
Ambrose Law Group, Bend Office  
805 SW Industrial Way, Ste 201  
Bend, OR 97702

RE: Withdrawal of Representation for US Patent Application Nos.:  
10/700,342, filed 11/03/2003 (BC&H docket matter no. 760.0120001)  
10/680,965, filed 10/07/2003 (BC&H docket matter no. 760.0070001)  
10/700,329, filed 11/03/2003 (BC&H docket matter no. 760.0060001)  
11/275,950, filed 02/06/2006 (BC&H docket matter no. 760.0080002)  
11/198,016, filed 08/05/2005 (BC&H docket matter no. 760.0130001)  
All assigned to Vivato Networks Holdings, LLC

Dear Gary:

This letter is in follow up to our email correspondences dated February 21, 23, March 18, et. seq. culminating on April 23, 2008. As we discussed, we concur that our representation of Vivato Networks Holdings, LLC has come to a diversion point. At this point in time, we are unable to provide document review and continued prosecution of the above pending Applications.

This letter serves as a formal notification that Brooks, Cameron & Huebsch, PLLC is discontinuing legal representation of the above Vivato Networks Holdings, LLC matters. The discontinuation of legal representation on these matters are effective immediately. This formal notice is intended to evidence our good faith effort to avoid any misunderstandings as to the disposition of your pending patent applications. It further affords you time to deliver these files to another office should you elect to do so as NO actions or responses have yet been filed to the outstanding Office Actions identified on enclosed Appendix A.

In view of pending Patent Reform currently in legislation before Congress, we recommend that Vivato Networks Holdings, LLC consult with other patent counsel regarding your pending application. Vivato Networks Holdings, LLC is responsible for effecting a change of correspondence address with the USPTO and, should you choose other outside counsel, will additionally need to effectuate a new power of attorney with the same.

SECURING YOUR INNOVATION<sup>SM</sup>

1221 Nicollet Avenue, Suite 500 Minneapolis, MN 55403 Telephone: 612-659-9340 Fax: 612-659-9344

Unfortunately, despite our earnest efforts, we have been unable to comfortably address payment terms on this matter going forward. Based on a history of repeated services at no charge and/or write downs **we have endeavored to present Vivato Networks Holdings, LLC with the alternative option of sending some payment on outstanding accounts.** We understand that no financing has been able to be realized and acknowledge this present circumstance as we hope that you will understand Brooks, Cameron & Huebsch, PLLC's decision to withdraw from this matter.

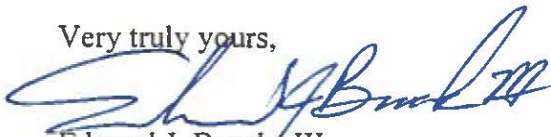
Representation of additional matters of Vivato Networks Holdings, LLC by Brooks, Cameron & Huebsch may need to be addressed in a similar manner. We will keep you current in connection with the same.

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Included with this package are one or more CDs containing the source files and PDF documents for these matters. We will be happy to send you paper copies upon your request.

Brooks, Cameron & Huebsch, PLLC appreciates all of our work together. We wish you continued success in your business endeavors.

Very truly yours,



Edward J. Brooks III  
Managing Partner  
Brooks, Cameron & Huebsch, PLLC

Enclosures

Cc: Gary Haycox w/enc.

Appendix A

10/700,342, filed 11/03/2003 (BC&H docket matter no. 760.0120001)

This case currently has an outstanding **Restriction Requirement** with **initial due date for response of May 3, 2008**. **Extensions are available until October 3, 2008**, at which point, if no response has been received by the USPTO, this application will become Abandoned.

10/680,965, filed 10/07/2003 (BC&H docket matter no. 760.0070001)

This case currently has an outstanding **Office Action** with **initial due date for response of May 8, 2008**. ~~Extensions are available until August 8, 2008~~, at which point, if no response has been received by the USPTO, this application will become Abandoned.

10/700,329, filed 11/03/2003 (BC&H docket matter no. 760.0060001)

This case currently has an outstanding **Final Office Action** with **initial due date for response of May 17, 2008(two months)** with a **three month no-fee response date of June 17, 2008**. **Extensions are available until September 17, 2008**, at which point, if no response has been received by the USPTO, this application will become Abandoned.

11/275,950, filed 02/06/2006 (BC&H docket matter no. 760.0080002)

This case currently has an outstanding **Final Office Action** with **initial due date for response of June 4, 2008(two months)** with a **three month no-fee response date of July 4, 2008**. **Extensions are available until October 4, 2008**, at which point, if no response has been received by the USPTO, this application will become Abandoned.

11/198,016, filed 08/05/2005 (BC&H docket matter no. 760.0130001)

This case currently has an outstanding **Office Action** with **initial due date for response of July 3, 2008**. **Extensions are available until October 3, 2008**, at which point, if no response has been received by the USPTO, this application will become Abandoned.



Vivato Networks Holdings, LLC			
10 Issued, 9 Pending			
B & C File No.	Lee & Hayes File No.	Title	Status
760.0000001	NA	General Matter	Assignment changing name from Vivato Networks LLC to Vivato Networks Holdings, LLC, mailed 12/12/07.
760.0017631	NA	Go Network Due Diligence	
760.0020001	MN1-0025US		Filed 09/25/2006. Serial No. 11/526,543 Replacement Drawings filed 11/08/06. Updated Filing Receipt received 11/29/06.
760.002999P	MN1-0025USP1	APPLICATION OF MULTIPLE BEAM ANTENNA SYSTEM TO 802.16 BASE STATIONS	Filed 09/23/2005 Serial No. 60/719,856
760.0030001	MN1-0001US	IMPROVED MULTIPATH COMMUNICATION METHODS AND APPARATUSES	Filed 04/25/2002 Serial No. 10/131,864 <b>ISSUED</b> 7,177,369 on 02/13/2007
760.003999P	MN1-0001USP1	IMPROVED MULTIPATH COMMUNICATION METHODS AND ARRANGEMENTS	Filed 04/27/2001 Serial No. 60/287,163
760.0040001	MN1-0003US	EPLANE OMNIDIRECTIONAL ANTENNA	Filed 12/31/2002 Serial No. 10/335,382 <b>ISSUED</b> 6,967,625 on 11/22/2005

760.0040002	MN1-0003USC1	EPLANE OMNIDIRECTIONAL ANTENNA	Filed 04/13/2005 Serial No. 11/104,684 DIV of 10/335,382 <b>ISSUED</b> 7,256,750 on 08/14/2007 Issue Fee Paid 7/2/2007 Issue Notification Received 07/31/2007.
760.0050001	MN1-0004US	COMPLEMENTARY BEAMFORMING TECHNIQUES	Filed 11/03/2003 Serial No. 10/700,991 <b>ISSUED</b> 7,099,698 on 08/29/2006
760.0050002	MN1-0004USC1	COMPLEMENTARY BEAMFORMING TECHNIQUES	Filed 05/12/2006 Serial No. 11/383,167 CON of 10/700,991 <i>Office Action Mailed 01/23/2008. Response Due 04/23/2008.</i>
760.005999P	MN1-0004USP1	COMPLEMENTARY BEAMFORMING TECHNIQUES	Filed 11/03/2002 Serial No. 60/423,703

760.0060001	MN1-0010US	DIRECTED WIRELESS COMMUNICATION	Filed 11/03/2003 Serial No. 10/700,329 Office Action received 09/28/2006. Response mailed 10/18/2006. Final Office Action Received 07/20/2007. RCE with Preliminary Amendment filed 10/17/2007 Office Action received 12/21/07. 02/14/2008 Amendment and Response filed. <i>03/17/2008 Final Office Action mailed.</i> <i>05/17/2008 Response Due (2 months).</i>
760.006999 P	MN1-0010USP1	A WIRELESS DATA PACKET COMMUNICATIONS SYSTEM	Filed 11/04/2002 Serial No. 60/423,660
760.0070001	MN1-0013US	DETECTING WIRELESS INTERLOPERS	Filed 10/07/2003 Serial No. 10/680,965 <i>02/08/2008 Office Action mailed.</i> <i>05/08/2008 Response due.</i>
760.0080001	MN1-0006US	ANTENNA ASSEMBLY	Filed 09/09/2003 Serial No. 10/658,346 <b>ISSUED.</b> 6,995,725 on 02/07/2006

760.0080002	MN1-0006USC1	ANTENNA ASSEMBLY	Filed 02/06/2006 Serial No. 11/ 275,950 a con of 10/658,346 Election mailed 07/09/2007. Response submitted 08/03/2007. Office Action received 10/15/2007. Response Filed 01/11/2008. <i>Final Office Action mailed 04/04/2008.</i> <b><i>Response Due (2 months) 06/04/2008.</i></b>
760.008999P	MN1-0006USP1	ANTENNA ASSEMBLY	Filed 11/04/2002 Serial No. 60/423,700
760.0090001	MN1-0017US	IMPROVED LAYERED PROCESSING	Filed 09/18/2004 Serial No. 10/944,376 <i>Office Action Mailed 01/22/2008.</i> <b><i>Response Due 04/22/2008.</i></b>
760.009999P	MN1-0017USP1	OPTIMUM LAYERED PROCESSING	Filed 09/18/2003 Serial No. 60/503,852
760.0100001	MN1-0014US	FORCED BEAM SWTICHING IN WIRELESS COMMUNICATION	Filed 10/31/2003 Serial No. 10/698,848 <b>ISSUED</b> 7,062,296 on 06/13/2006
760.0100002	MN1-0014USC1	FORCED BEAM SWTICHING IN WIRELESS COMMUNICATION	Filed 05/30/2006 Serial No. 11/420,860 a con of 10/698,848 Pending, No first Office Action



760.0110001	MN1-0011US		Closed by Lee & Hayes
760.011999P	MN1-0011USP1	MULTIMAC CONTROL TECHNIQUES	Filed 11/04/2002 Serial No. 60/423,696
760.0120001	MN1-0008US	SIGNAL COMMUNICATION COORDINATION	Filed 11/03/2003 Serial No. 10/700,342 <i>04/03/2008 Restriction Requirement mailed. 05/03/2008 Response Due.</i>
760.012999P	MN1-0008USP1	SYNCHRONIZING MEDIA ACCESS CONTROL (MAC) CONTROLLERS	Filed 11/04/2002 Serial No. 60/423,702
760.0130001	2502881-991101	WIRELESS COMMUNICATION SYSTEM WITH DIRECTIONAL ANTENNA	Filed 08/05/2005 Serial No. 11/198,016 <i>04/03/2008 Office Action Mailed. 07/03/08 Response Due.</i>
760.013999P	2502881-991100	WIRELESS COMMUNICATIONS SYSTEM USING DIRECTIONAL ANTENNAS	Filed 08/05/2004 Serial No. 60/599,743
760.0140001	MN1-0002US	WIRELESS PACKET SWITCHED COMMUNICATION SYSTEMS AND NETWORKS...	Filed 10/12/2001 Serial No. 09/976,246 <b>ISSUED</b> 6,611,231 on 08/26/2003 2/14/2007 Maintenance Fee for year 3.5 paid.

760.0140002	MN1-0002USC1	WIRELESS PACKET SWITCHED COMMUNICATION SYSTEMS AND NETWORKS...	Filed 09/04/2002 Serial No. 10/235,198 Cont. of Pat. No. 6,611,231 <b>ISSUED</b> 6,970,682 on 11/29/2005
760.0150001	MN1-0005US	WIRELESS COMMUNICATION AND BEAM FORMING WITH PASSIVE BEAMFORMERS	Filed 03/07/2003 Serial No. 10/384,308 <b>ISSUED</b> 6,992,621 on 01/31/2006
760.0160001	MN1-0019US	ELECTROMAGNETIC LENS	Filed 01/16/2004 Serial No. 10/760,023 <b>ISSUED</b> 6,980,169 on 12/27/2005
760.0170001			Unfiled Closed by Lee & Hayes
760.0180001			Unfiled Closed by Lee & Hayes
760.019999P	MN1-0009US	COMMUNICATING BROADCAST FRAMES	Filed 11/04/2002 Serial No. 60/423,701 Abandoned
760.0200001	MN1-0015US		Unfiled Closed by Lee & Hayes
760.0210001	MN1-0016US		Unfiled Closed by Lee & Hayes
760.0220001	MN1-0018US		Unfiled Closed by Lee & Hayes
760.0230001	MN1-0020US		Unfiled Closed by Lee & Hayes

760.0240001	MN1-0021US		Unfiled Closed
760.0250001	MN1-0022US		Unfiled Closed
760.0260001	MN1-0023US		Unfiled Closed
760.0277631		DUE DILIGENCE	